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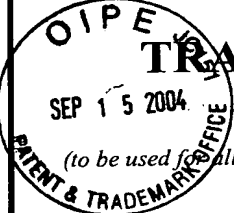
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1647

PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

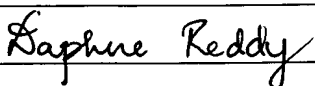
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 TRANSMITTAL FORM	Application Number	10/015,392	
	Filing Date	December 12, 2001	
	First Named Inventor	Baker, et al.	
	Group/Art Unit	1647	
	Examiner Name	Landsman, Robert S.	
Total Number of Pages in This Submission		Attorney Docket Number	39780-2830P1C58


ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Version with Markings Showing Changes <input checked="" type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request (3 month EOT) <input checked="" type="checkbox"/> Information Disclosure Statement w/cited references <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): stamped return postcard; Declarations of Sherman Fong, Paul Polakis and Avi Ashkenazi with CV's and cited references.
Remarks AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER Atty. Docket No. 39780-2830P1C58).		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

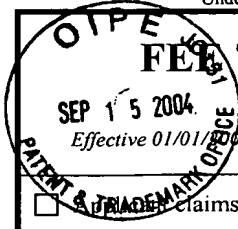
Firm or Individual name	DAPHNE REDDY, Reg. No. 53,507, HELLER EHRMAN WHITE & McAULIFFE LLP		
Signature			
Date	September 15, 2004	Customer Number:	35489

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Express Mail Label EL 993 689 298 US			
Typed or printed name	Cheryl Rogers		
Signature		Date	September 15, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop ___, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

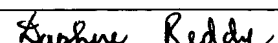
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 <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">for FY 2004</h3> <p style="margin: 0;">Effective 01/01/2004. Patent fees are subject to annual revision.</p> <p><input type="checkbox"/> Patent claims small entity status. See 37 CFR 1.27</p>		Complete if Known	
		Application Number	10/015,392
		Filing Date	December 12, 2001
		First Named Inventor	Baker, et al.
		Examiner Name	Landsman, Robert S.
		Art Unit	1647
TOTAL AMOUNT OF PAYMENT		(\$) 1,130.00	
Attorney Docket No.		39780-2830P1C58	

METHOD OF PAYMENT (check one)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None	
<input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 08-1641 (Docket No. 39780-2830P1C58) Deposit Account Name: Heller Ehrman White & McAuliffe LLP	
The Commissioner is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	

FEE CALCULATION					
1. BASIC FILING FEE					
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					 (\$)
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE					
		Extra Claims		Fee from below	Fee Paid
Total Claims		-20** = x 		= 	
Independent Claims		-3** = x 		= 	
Multiple Dependent				= 	
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					 (\$)
**or number previously paid, if greater; For Reissues, see above					

FEE CALCULATION (continued)						
3. ADDITIONAL FEES						
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	
1051	130	2051	65	Surcharge - late filing fee or oath		
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		
1053	130	1053	130	Non-English specification		
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		
1251	110	2251	55	Extension for reply within first month		
1252	420	2252	210	Extension for reply within second month		
1253	950	2253	475	Extension for reply within third month		\$950.00
1254	1,480	2254	740	Extension for reply within fourth month		
1255	2,010	2255	1,005	Extension for reply within fifth month		
1401	330	2401	165	Notice of Appeal		
1402	330	2402	165	Filing a brief in support of an appeal		
1403	290	2403	145	Request for oral hearing		
1451	1,510	1451	1,510	Petition to institute a public use proceeding		
1452	110	2452	55	Petition to revive - unavoidable		
1453	1,330	2453	665	Petition to revive - unintentional		
1501	1,330	2501	665	Utility issue fee (or reissue)		
1502	480	2502	240	Design issue fee		
1503	640	2503	320	Plant issue fee		
1460	130	1460	130	Petitions to the Commissioner		
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		
1806	180	1806	180	Submission of Information Disclosure Stmt		\$180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)		
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))		
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))		
1801	770	2801	385	Request for Continued Examination (RCE)		
1802	900	1802	900	Request for expedited examination of a design application		
Other fee (specify) _____						
* Reduced by Basic Filing Fee Paid						SUBTOTAL (3) (\$) 1,130.00

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	DAPHNE REDDY		Registration No. (Attorney/Agent)	53,507	Telephone
Signature			Date	September 15, 2004	Customer No. 35489

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop ____, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Baker et al. Docket No.: 39780-2830P1C58
Serial No.: 10/015,392 Group Art Unit: 1647
Filing Date: December 12, 2001 Examiner: Landsman, Robert S.
For: NUCLEIC ACIDS ENCODING PRO1410 POLYPEPTIDES

EXPRESS MAIL LABEL NO. EL 993 689 298 US

Date Mailed: September 15, 2004

AMENDMENT AND RESPONSE TO OFFICE ACTION

MS: AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Office Action mailed on March 15, 2004 in connection with the above-identified patent application, please enter the following amendments, and consider the following arguments. This response is timely filed with a Petition for Extension of time for three months with necessary fees. Attached herewith are three Declarations by:

- A) Sherman Fong, Ph.D. with five exhibits: (1) Current Protocols in Immunology, Vol. I, Unit 3.12 by Richard Coico, (2) an article by Ralph Steinman, (3) an article by Gubler et al., (4) an article by Peterson et al., and (5) an article by Thurner et al.;
- B) Paul Polakis, Ph.D.; and,
- C) Avi Ashkenazi, Ph.D.

Also attached are articles by (i) Orntoft *et al.*, (ii) Hyman *et al.*, (iii) Pollack *et al.*, and (iv) Hanna and Mornin, and an Information Disclosure Statement with necessary fees.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims that begins on page 4 of this paper.

Remarks/Arguments begin on page 12 of this paper.

09/20/2004 NROCHA1 00000004 081641 10015392

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